



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

**PUBLIC NOTICE OF APPLICATION for**  
**STATE OF WASHINGTON WATER QUALITY CERTIFICATION**  
**UNDER SECTION 401 OF THE FEDERAL CLEAN WATER ACT**  
**And COASTAL ZONE MANAGEMENT ACT CONSISTENCY**

August 3, 2006

Interested parties are hereby notified that the Nisqually Indian Tribe, Natural Resources Department has submitted an application for the Red Salmon Slough Restoration Project requesting a water quality certification in accordance with Section 401 of the Federal Clean Water Act and the requirements of WAC 173-225. For projects in the 15 coastal counties, these applications will be reviewed for coastal zone consistency in accordance with Section 306 of the Coastal Zone Management Act.

This public notice is not an indication that Ecology or other state agencies have agreed with the proposed project. This notice is only intended to inform the public of the proposed project and solicit comments from local, state, and federal agencies and the public.

**EVALUATION:** The decision to issue, deny, or condition the water quality certification (WQC) or concur with the applicant's Coastal Zone Management Act (CZMA) consistency statement, will be based on the following: for WQC, it is necessary for the proposed project to comply with the applicable provisions of the Federal Clean Water Act and appropriate State aquatic protection requirements. For a project to be declared consistent under the CZMA program, it must be in compliance with the State and Federal Clean Water and Air Acts, the Shoreline Management Act, the State Environmental Policy Act, and other applicable federal and state regulations.

**COMMENT AND REVIEW PERIOD:** Ecology is soliciting comments from the public, state, and local agencies and officials, tribes, and other interested parties in order to evaluate the impacts of the activity. Ecology will consider all comments to determine whether to approve, condition, or deny a certification for the proposed work. **Comments should be sent to:**

Lori Ochoa  
Department of Ecology  
PO Box 47775  
Olympia, WA 98504-7775  
e-mail: [loch461@ecy.wa.gov](mailto:loch461@ecy.wa.gov)

The comment period will last 7 days, from August 3, 2006 to August 10, 2006.



The Department of Ecology is an Equal Opportunity and Affirmative Action employer and shall not discriminate on the basis of race, creed, color, national origin, sex, marital status, sexual orientation, age, religion, or disability as defined by applicable state and/or federal regulations or statutes. If you have special accommodation needs, please contact Ecology's TDD Headquarters at (360) 407-6006.

**The following application for 401 Certification and CZMA consistency determination:**

**PROJECT NAME:** Red Salmon Slough Restoration

**PROJECT NUMBER:** 200600522

**APPLICANT:** Nisqually Indian Tribe  
Natural Resources Department  
12501 Yelm Highway SE  
Olympia, WA 98513

**AGENT OR CONTACT:** Florian Leischner  
360-438-8687 [fleischner@nwifc.org](mailto:fleischner@nwifc.org)

**ECOLOGY PROJECT REVIEWER:** Lori Ochoa  
Department of Ecology  
PO Box 47775  
Olympia, WA 98504-7775  
360-407-6926  
[loch461@ecy.wa.gov](mailto:loch461@ecy.wa.gov)

**FEDERAL AGENCY ACTION:** The Corps of Engineers has authorized this project under Nationwide Permit 27, Stream and Wetland Restoration Activities.

**LOCATION:** Nisqually Delta, Red Salmon Slough, at the end of Mounts Road, Pierce County, Washington. Section 39, Township 19 North, Range 1 West, WRIA 11.

**PROJECT DESCRIPTION:** The project will restore approximately 100 acres of Tribal and Nisqually National Wildlife Refuge land in the Nisqually Delta. The project will remove approximately 9500 feet of dike and fill 14,100 feet of ditches to restore tidal access and improve fish passage. Several tide gates will be removed and the access road to Mounts Road will be moved to the south to allow further tidal restoration. The anticipated outcome will be that the estuarine processes will restore the area to a mosaic of low and high salt marshes and transitional salt-fresh wetlands.

The proposed project is described in more detail in the Joint Aquatic Resource Permit Application prepared on February 28, 2006, and associated documents.

**APPEALS:** If the water quality certification (WQC) is issued, any person aggrieved may obtain review thereof by appeal. The applicant can appeal up to 30 days after receipt of the WQC, and all others can appeal up to 30 days from the postmarked date of the WQC. The appeal must be consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.